

FEB 08 2005

Practitioner's Docket No. MP198-075CP1M

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Glucksmann, Maria A.
Application No.: 09/383,745 Group No.: 1646
Filed: August 26, 1999 Examiner: Lazar Wesley, E. M.
For: 14926 RECEPTOR, A NOVEL G-PROTEIN COUPLED RECEPTOR

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 C.F.R. SECTION 1.137(a)

1. Applicants hereby petition for the revival of the above-referenced application.
2. Nature of the Abandonment
In the communication from the PTO mailed December 30, 2004, (copy enclosed), it was noted that this application is abandoned for failure to timely file a proper response to the Office letter mailed on July 24, 2004. The undersigned has reviewed her records and noted that the Response was timely filed on September 28, 2004.
3. Date of Filing of This Petition After Abandonment
This petition is being filed within 2 months after the Applicants were first notified of abandonment.
4. The Notice of Abandonment was Improperly Issued
Applicants submit the Notice of Abandonment was improperly issued. It will be seen from the attached documents that the Response was timely filed.

Applicants note the Notice of Abandonment incorrectly states the Decision of the Board of Appeals and Interferences was mailed on July 24, 2004. Applicants respectfully point out the decision was mailed July 29, 2004. A copy of the paper mailed and received is enclosed herewith.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. Section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

☐ MAILING
deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ FACSIMILE
transmitted by facsimile to the Patent and Trademark Office at (703) 872-9306.

Signature 

Date: February 8, 2005

Diana Gentile

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Enclosed herewith is a copy of the Amendment Transmittal (2 pages); copy of the Amendment and Response filed September 28, 2004 (8 pages); copy of date stamped postcard received showing PTO acknowledgement; and a copy of Express Mail Receipt No. EV512402478US showing a mailing date of September 28, 2004.

5. Applicants request withdrawal of the Notice of Abandonment and reinstatement of the application.

FEE PAYMENT

6. Petition fee (35 U.S.C. Section 41(a)(7) and 37 C.F.R. Section 1.17(I):
other than small entity) fee \$110.00
[X] it is believed no payment is necessary as the Response was timely filed, and the Notice of Abandonment was issued in error.

FEE DEFICIENCY

7. It is believed no fee is due in connection with this submission. However, in the event any petition fee, extension fee and/or additional fee is required, please charge Account No. 501668.

A duplicate of this petition is attached.

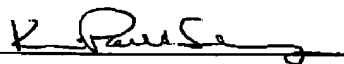
8. Change of Attorney/Correspondence

Applicants point out a Revocation and New Power of Attorney was filed in the referenced application on November 27, 2002, and a Request for Change of Correspondence was filed on January 4, 2005, copies of which are enclosed herewith. Applicants respectfully request all future correspondence be mailed to:

Customer Number 30405
OR
Intellectual Property Department
MILLENNIUM PHARMACEUTICALS, INC.
40 Landsdowne Street
Cambridge, MA 02139

February 7, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By 
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